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Patent  
Attorney's Docket No. 032566-018

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                             |   |                          |
|-----------------------------|---|--------------------------|
| In re Patent Application of | ) |                          |
|                             | ) |                          |
| Otto Z. ZHOU et al.         | ) | Group Art Unit: 1753     |
|                             | ) |                          |
| Application No.: 09/996,695 | ) | Examiner: Kishor Mayekar |
|                             | ) |                          |
| Filed: November 30, 2001    | ) | Confirmation No.: 1828   |
|                             | ) |                          |
| For: DEPOSITION METHOD FOR  | ) |                          |
| NANOSTRUCTURE MATERIALS     | ) |                          |

**RESPONSE TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☐ Also enclosed is/are \_\_\_\_\_.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$375.00 (2801) ☐ \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted \_\_\_, on \_\_\_, for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

(05/03)

☒ No additional claim fee is required.

☐ An additional claim fee is required, and is calculated as shown below:

| AMENDED CLAIMS   |               |   |              |                    |           |
|--|---------------|---|--------------|--------------------|-----------|
|  | NO. OF CLAIMS | HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR | EXTRA CLAIMS | RATE               | ADD'L FEE |
| Total Claims   |               | MINUS =                                   |              | × \$18.00 (1202) = |           |
| Independent Claims   |               | MINUS =                                   |              | × \$84.00 (1201) = |           |
| If Amendment adds multiple dependent claims, add \$280.00 (1203)             |               |   |              |                    |           |
| Total Claim Amendment Fee  |               |   |              |                    |           |
| If small entity status is claimed, subtract 50% of Total Claim Amendment Fee |               |   |              |                    |           |
| TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT                            |               |   |              |                    |           |

☐ A total fee in the amount of \$ \_\_\_\_\_ is enclosed.

☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: September 8, 2003

By:

  
Scott W. Cummings  
Registration No. 41,567

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NANOSTRUCTURE MATERIALS )

#  
6/w.m.  
9/13/03

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement forwarded by the Official Action dated August 8, 2003, applicants hereby provisionally elect Group 1, claims 1-29, drawn to a method of depositing a nanostructure-containing material onto a substrate. This election is made with traverse.

It is respectfully submitted that the subject matter of all claims 1-73 is sufficiently related that a thorough search for the subject matter of any one group would necessarily encompass a search for the subject matter of the remaining groups. Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. MPEP §803 clearly states that "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on its merits, even though it includes claims to distinct or independent inventions" (emphasis

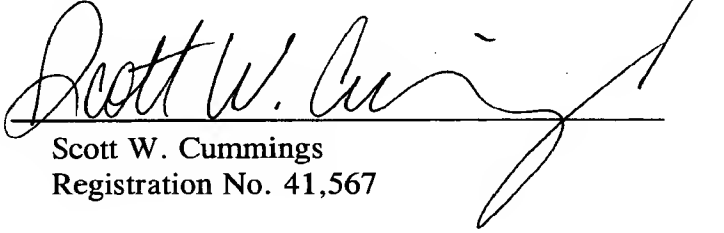
added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants in duplicative examination by the Patent Office.

The Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine all the claims in this application.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: \_\_\_\_\_

  
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Registration No. 41,567

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Date: September 8, 2003